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PATENT

Attorney Docket No.: 21221/1-CIP-2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Stephen Almeida Confirmation No.: 9689  
SERIAL NO.: 10/600,176 Art Unit: 3762  
FILED: June 20, 2003  
FOR: DUAL FILTER MULTIPLE PULSE PHOTO-DERMATOLOGICAL DEVICE  
WITH PRE/POST OPTICAL HEATING, QUASI-LOGARITHMIC SPACING, AND  
LASER ROD SPECTRUM INFUSION

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

By:

*Erin K. Duff*  
Erin K. Duff

March 21, 2005

Date

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant hereby submits an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on PTO-1449, attached hereto.

II. COPIES

- a.   X   **Submitted herewith is a legible copy of (i) each \*U.S. and foreign patent;**  
(ii) each publication or that portion which caused it to be listed; and (iii) all  
other information or that portion which caused it to be listed.

**\* Waiver**

The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC § 371 after June 30, 2003. *See* 37 CFR 1.491(b).

III. CONCISE EXPLANATION OF THE RELEVANCE

(check at least one box)

- a.   X   **Except as may be indicated below in (b), all of the patents, publications or other information are in the English language** or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b.        A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:
- c.        The following additional information is provided for the Examiner's consideration:

**FEES**

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)

(check one box)

- a. ☐ within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1)). No fee or certification is required.
- b. ☐ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2)). No fee or certification is required.
- c. ☒ **before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required.** In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):

(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. ☐ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. § 1.17(p).

or

- b. ☒ **See the certification below. No fee is required.**

VI. CERTIFICATION UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby certifies that

- a. \_\_\_\_\_ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. \_\_\_\_\_ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.
- c. \_\_\_\_\_ some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

\_\_\_\_\_ please charge Deposit Account No. 50-0369 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

  X   **No fee is required.**

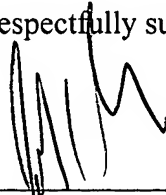
VII. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.704(d) (PATENT TERM  
ADJUSTMENT)

Applies to original applications (other than design) filed on or after May 29, 2000

- a.        Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- b.   X   **Enclosed herewith is form PTO-1449.**
- c.        Copies of cited references are enclosed.
- d.   X   Copies of cited references are enclosed except those entered in prior application 09/841,816 filed on April 25, 2001, Issued as U.S. Patent 6,595,986 and prior application 09/173,422 filed on October 15, 1998, issued as U.S. Patent 6,228,074, to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- e.        The listed references were cited in the enclosed International Search Report in a counterpart foreign application.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule (with a petition, if necessary) and charge the appropriate fee to Deposit Account No. 50-0369.

Respectfully submitted,



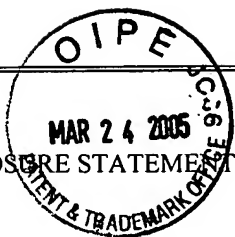
Date: March 21, 2005

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FORM PTO-1449

INFORMATION DISCLOSURE STATEMENT



ATTY DOCKET NO.

21221/1-CIP-2

SERIAL NO.

10/600,176

APPLICANT(S): Almeida, Stephen

FILING DATE:

6/20/03

ART UNIT:

3762

## UNITED STATES PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPR
	4,388,924	6/1983	Weissmann et al.	128	303.1	
	5,000,752	3/1991	Hoskin	606	9	
	5,226,907	7/1993	Tankovich	606	133	
	5,282,842	2/1994	Changaris	607	88	
	5,405,368	4/1995	Eckhouse	607	88	
	5,425,728	6/1995	Tankovich	606	9	
	5,425,754	6/1995	Braunt et al.	607	88	
	5,474,549	12/1995	Ortiz et al.	606	9	
	5,486,172	1/1996	Chess	606	20	
	5,558,667	9/1996	Yarborough et al.	606	9	
	5,595,568	1/1997	Anderson et al.	660	9	
	5,620,478	4/1997	Eckhouse	607	88	
	5,626,631	5/1997	Eckhouse	607	88	
	5,628,744	5/1997	Coleman et al.	606	12	
	5,630,811	5/1997	Miller	606	9	
	5,632,741	5/1997	Zavislan et al.	606	9	
	5,643,334	7/1997	Eckhouse et al.	607	88	
	5,647,866	7/1997	Zaias et al.	606	9	
	5,683,380	11/1997	Eckhouse et al.	606	9	
	5,720,772	2/1998	Eckhouse	607	88	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN YES/NO
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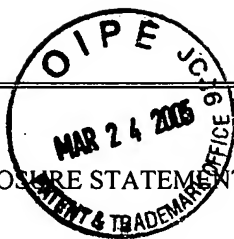
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

Examiner:

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EXAM. INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPR
	5,735,844	4/1998	Anderson et al.	606	9	
	5,752,948	5/1998	Tankovich et al.	606	9	
	5,752,949	5/1998	Tankovich et al.	606	9	
	5,755,751	5/1998	Eckhouse	607	88	
	5,766,214	6/1998	Mehl, Sr. et al.	606	9	
	5,776,175	7/1998	Eckhouse et al.	607	100	
	5,810,801	9/1998	Anderson et al.	606	9	
	5,828,803	10/1998	Eckhouse	385	88	
	5,833,612	11/1998	Eckhouse et al.	600	476	
	5,836,999	11/1998	Eckhouse et al.	607	88	
	5,849,029	12/1998	Eckhouse et al.	607	104	
	5,868,732	2/1999	Waldman et al.	606	9	
	5,885,273	5/1999	Eckhouse et al.	606	9	
	5,885,274	3/1999	Fullmer et al.	606	9	
	5,911,718	6/1999	Yarborough et al.	606	9	
	5,961,543	10/1999	Waldmann	607	88	
	5,964,749	10/1999	Eckhouse et al.	606	9	
	6,050,990	4/2000	Tankovich et al.	606	9	
	6,120,497	9/2000	Anderson et al.	606	9	
	6,126,655	10/2000	Domankevitz et al.	606	17	

## FOREIGN PATENT DOCUMENTS


		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRAN YES/NO
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OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

Examiner:

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EXAM. INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPR
	6,161,544	11/1997	DeVore et al.	128	898	
	6,162,212	12/2000	Kreindel et al.	606	9	
	6,168,590 B1	4/2001	Neev	606	9	
	6,174,325 B1	1/2001	Eckhouse	607	89	
	6,187,001 B1	2/2001	Azar et al.	606	9	
	6,214,034 B1	4/2001	Azar	607	89	
	6,228,074 B1	8/2001	Almeida	606	9	
	6,273,884 B1	8/2001	Altshuler et al.	606	9	
	6,280,438 B1	8/2001	Eckhouse et al.	606	9	
	6,306,130 B1	10/2001	Anderson et al.	606	27	
	6,350,261 B1	2/2002	Domankevitz et al	606	17	
	6,447,537 B1	9/2002	Hartman	607	94	
	6,517,532 B1	2/2003	Alshuler et al.	606	9	
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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS SUB CLASS	TRAN YES/NO
OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)						
Examiner:				Date:		